

WADE BILBREY,)	AGBCA No. 2000-122-1
)	
Appellant)	
)	
Representing the Appellant:)	
)	
Wade Bilbrey, <i>pro se</i>)	
P. O. Box 116)	
Avery, Idaho 83802)	
)	
Representing the Government:)	
)	
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DECISION OF THE BOARD OF CONTRACT APPEALS

May 25, 2001

Before HOURY, POLLACK, and VERGILIO, Administrative Judges.

Opinion for the Board by Administrative Judge POLLACK.

This appeal arose under Contract No. 53-0281-6-113 between Wade Bilbrey of Avery, Idaho, (Appellant) and the U. S. Department of Agriculture, Forest Service (FS), Idaho Panhandle National Forest, Coeur d'Alene, Idaho. The contract was for the silviculture examinations of various stands of trees within certain designated areas of the national forest. A dispute arose between the parties over a number of issues, including the propriety of various FS charges dealing with inspections and re-inspections of Appellant's work, and dealing with Appellant having to use methods beyond that called for in the contract. In addition, Appellant made a number of allegations alleging intimidation, slander and damages to Appellant's business. On October 6, 1999, the Contracting Officer (CO), issued a decision, which allowed the contractor \$78.40 and denied the remainder of the claim. Appellant filed a timely appeal.

The Board has jurisdiction over this timely appeal pursuant to the Contract Disputes Act (CDA), 41 U.S.C. 601-613, as amended.

On June 22, 2000, the Board, before starting a scheduled hearing, held a settlement conference with the parties in an attempt to reach an agreement. After considerable discussions between the parties, a settlement in principle was reached. Thereafter, the parties arrived at a written agreement, and as part of the process, the CO issued a revised final decision.

On March 1, 2001, the Board received a letter from the FS dated February 20, 2001, which forwarded a "Stipulation for Dismissal with Prejudice." The stipulation was executed by each party.

DECISION

The parties have reached an agreement to settle the appeal. Accordingly, the Board dismisses the appeal with prejudice.

HOWARD A. POLLACK
Administrative Judge

Concurring:

EDWARD HOURY
Administrative Judge

JOSEPH A. VERGILIO
Administrative Judge

Issued at Washington, D. C.
May 25, 2001